

U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
**ENTERED**  
TAWANA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

IN RE:	§	
	§	CASE NO. 02-42245-DML-13
GENE ALAN THRASHER AND	§	
SANDY CARROLL THRASHER	§	CHAPTER 13 CASE
	§	
DEBTORS	§	

**Memorandum Order**

Came on for consideration the Motion to Allow Late Filed Claim of Chase Automotive Finance Corporation (the "Motion"), which was filed on February 6, 2004. Movant seeks permission to have allowed a claim in the amount of \$6,091.44. Neither the Debtor nor the Trustee objected to the Motion.

This case is a Chapter 13 case. The time for filing proofs of claim in Chapter 13 is established by Fed. R. Bankr. P. 3002(c). Rule 3002(c) requires that claims be "filed not later than 90 days after the first date set for the meeting of creditors called under §341(a) of the Code. . ." The first date set for the meeting of creditors in this case was February 11, 2003, and the deadline for filing proofs of claim was May 12, 2003. While Rule 3002(c) provides five exceptions,

Movant alleges no facts that would support recourse to one of those exceptions.

The Court may extend time limits under the Federal Rules of Bankruptcy Procedure as provided in Rule 9006(b). Fed. R. Bankr. P. 9006(b)(3) allows extension of the time provided by Rule 3002(c) only as provided by the terms of that rule. Since Movant has not stated a basis for filing a late proof of claim in this case pursuant to which the Court could act favorably on the Motion, the Motion must be denied.

For the foregoing reasons, it is

ORDERED that the Motion be, and it hereby is, DENIED with prejudice.

SIGNED this 8 day of March 2004.

*as to allowance*  
*W*



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DENNIS MICHAEL LYNN  
UNITED STATES BANKRUPTCY JUDGE